



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 3747

In re

Patent Application of

William M. Warner, et al.

Serial No. 09/981,223

Confirmation No. 5583

Filed: October 17, 2001

Examiner: Carl Stuart Miller

"MULTI-POINT FUEL INJECTION MODULE"

DECLARATION UNDER 37 C.F.R. 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby declare and state:

1. THAT we are co-inventors of the subject matter of all the claims (i.e., pending claims 1-8 and 10-39) of the above-captioned U.S. patent application (hereinafter, "the Bosch Application"). We have assigned all rights, title, and interest in the Bosch Application to Robert Bosch Corporation. This Declaration is submitted in furtherance of prosecution of the Bosch Application.

2. THAT this DECLARATION UNDER 37 C.F.R. § 1.131 is, specifically, being filed to antedate U.S. Patent No. 6,662,700 issued to Lee, et al. and filed on October 16, 2001 (hereinafter, "the Lee patent").

3. THAT the Lee patent is being used by the Examiner to reject claims 32-34 and 36 of the Bosch Application. Specifically, the Examiner bases his rejections on the following text from Col. 2, line 66-Col. 3, line 4 of the Lee patent (underlining added for emphasis):


An integrated fuel rail 20 and fuel injector 36 is shown in FIG. 2B. The fuel rail 20 includes a first opening 41 receiving the first portion 40. A polymer layer 48 extends from the fuel rail 20 about the first portion 40 of the fuel injector 36 to create a seal between the fuel rail 20 and the first portion 40. In this manner, a separate seal is not necessary to prevent leakage of fuel. The polymer layer 48 may be molded over a fuel injector and separate fuel rail, or the polymer layer may form the fuel rail 20 and define the passageway 32, as shown in FIG. 2B.

4. THAT prior to October 16, 2001, the filing date of the Lee patent, we had conceived of and reduced to practice in this country the invention described in the subject application and as defined in pending claims 1-8 and 10-39, and particularly the invention as defined in claims 32-34 and 36, which are being rejected based on the Lee patent. The following evidence is provided:

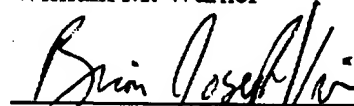
- a. Prior to October 16, 2001, we conceived of and reduced to practice a method of manufacturing an injection module assembly having a fuel rail and a plurality of fuel injectors, the method comprising coupling the fuel injectors to the fuel rail at respective interfaces and overmolding at least a portion of the fuel rail and at least a portion of each injector (the "Invention" as set forth in claim 32).
- b. The Invention was conceived of at least as early as April 19, 2001, as evidenced by the Bosch slide containing that date (See bottom right portion of slide) and the corresponding exploded view drawing included as Exhibit A. In the description portion of the slide in Exhibit A, reference is made to welding functional groups (injectors) to a steel fuel rail, and then overmolding the fuel rail and the functional groups.
- c. Included as Exhibit B is a photograph of a prototype made according to the slide and drawing of Exhibit A, evidencing reduction to practice. This prototype was manufactured at least as early as June 11, 2001.

5. THAT all statements herein of our knowledge are true, that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like as made are punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 10/12/04


William M. Warner

Date: 10/14/04


Brian Joseph Vivio

Date: 10/14/04


Brian Joseph Bachand

X:\clientb\081276\9079\F0120452.1

EXHIBIT A



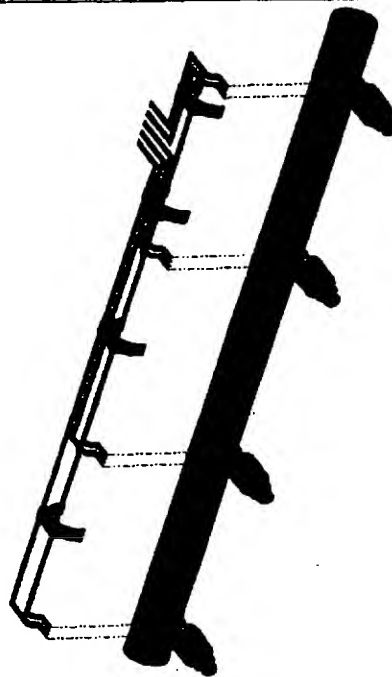
EV14 Functional Group Integration

BOSCH

Zero EVAP Fuel Rail Assembly

Description

- Stainless steel rail
- Functional groups are welded to the rail (no o-rings)
- Bus-bar for electrical connections
- Single multi-pin electrical connector
- Overmolded fuel rail, electrical & FGs
- Air tube damper



EIP ECP 4-19-01

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COMPL-ASSY-LABELED WORK (EXPLODED)

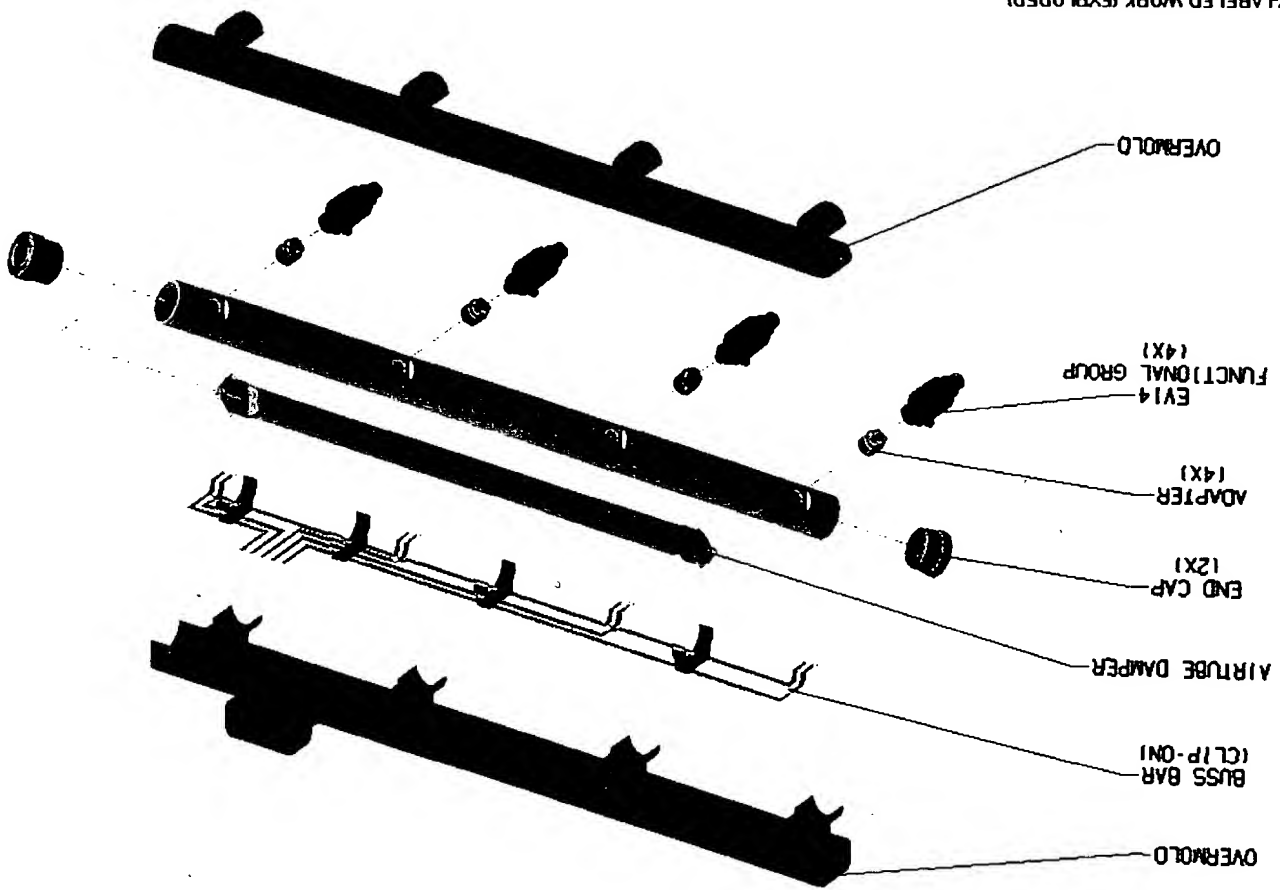
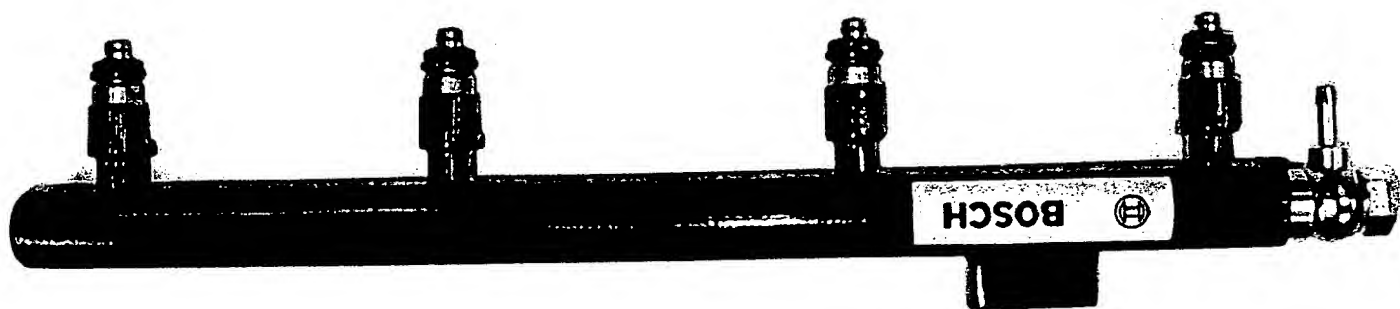


EXHIBIT B



10/24/00
1c556 U.S. PTO

10-25-00

Al Prov

Please type a plus sign (+) inside this box → ☐

PTO/SB/16 (2-98)
Approved for use through 01/31/2001. OMB 0651-0037
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PROVISIONAL APPLICATION FOR PATENT COVER SHEET

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53 (c).

INVENTOR(S)					
Given Name (first and middle (if any))		Family Name or Surname		Residence (City and either State or Foreign Country)	
Ki-Ho		LEE		Windsor, Canada	
Lisa		WHALEY		Wheatley, CANADA	
<input type="checkbox"/> Additional inventors are being named on the ___ separately numbered sheets attached hereto					
TITLE OF THE INVENTION (280 characters max)					
A port deactivation valve body with fuel system and wiring harness integrated					
Direct all correspondence to: CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number		<input type="text"/>		Place Customer Number Bar Code Label here	
OR Type Customer Number here					
<input checked="" type="checkbox"/> Firm or Individual Name		Elsa Keller			
Address		Siemens Corporation			
Address		186 Wood Avenue South			
City		Iselin		State	NJ
Country		USA		Telephone	732.321.3026
				ZIP	08830
				Fax	732.321.3014
ENCLOSED APPLICATION PARTS (check all that apply)					
<input type="checkbox"/> Specification Number of Pages		<input type="text"/>		<input type="checkbox"/> Small Entity Statement	
<input checked="" type="checkbox"/> Drawing(s) Number of Sheets		2		<input type="checkbox"/> Other (specify) <input type="text"/>	
METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT (check one)					
<input type="checkbox"/> A check or money order is enclosed to cover the filing fees				FILING FEE AMOUNT (\$)	
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge filing fees or credit any overpayment to Deposit Account Number				19-2179	
				\$150.00	
The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.					
<input checked="" type="checkbox"/> No.					
<input type="checkbox"/> Yes, the name of the U.S. Government agency and the Government contract number are: _____					

Respectfully submitted,

SIGNATURE

Laura M. Sienzak

Date 10/24/00

TYPED or PRINTED NAME

+1 248 209 5698

REGISTRATION NO.

35,363

(if appropriate)
Docket Number:

00P9004US

USE ONLY FOR FILING A PROVISIONAL APPLICATION FOR PATENT

This collection of information is required by 37 CFR 1.51. The information is used by the public to file (and by the PTO to process) a provisional application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the complete provisional application to the PTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C., 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Box Provisional Application, Assistant Commissioner for Patents, Washington, D.C., 20231.

EK830410289US

Attorney Docket Number: 00P9004US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Provisional Application For Patent of:

Inventor(s): LEE, et al

Title: A port deactivation valve body with fuel system and wiring harness integrated

Assistant Commissioner for Patents
Washington, D.C. 20231

**POWER OF ATTORNEY and
DESIGNATION OF CORRESPONDENCE ADDRESS**

As an agent of Siemens Automotive Corporation and Siemens Canada Limited, I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Attorney name	USPTO Reg.No.	Attorney name	USPTO Reg.No.
Adel A. Ahmed	29,606	John Musone	44,961
I. Marc Asperas	37,274	Theodore W. Olds	33,080
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Mark H. Jay	27,507	Daniel J. Staudt	34,733
Stuart P. Kaler	35,913	Eric C. Swanson	40,194
Rosa S. Kim	39,729	Heather S. Vance	39,033
Peter A. Luccarelli, Jr.	29,750	Michael J. Wallace	44,486
James M. Markarian	31,277	Scott T. Weingaertner	37,756
Jeffrey P. Morris	25,307	Robert A. Whitman	36,966
Pasquale Musacchio	36,876		

Send Correspondence to:

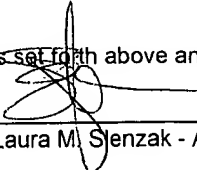
Laura M. Slenzak
c/o Elsa Keller
Intellectual Property Department
Siemens Corporation
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Iselin, New Jersey 08830

Direct Telephone Calls to:

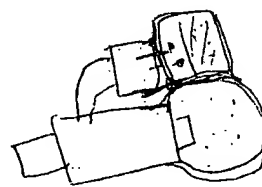
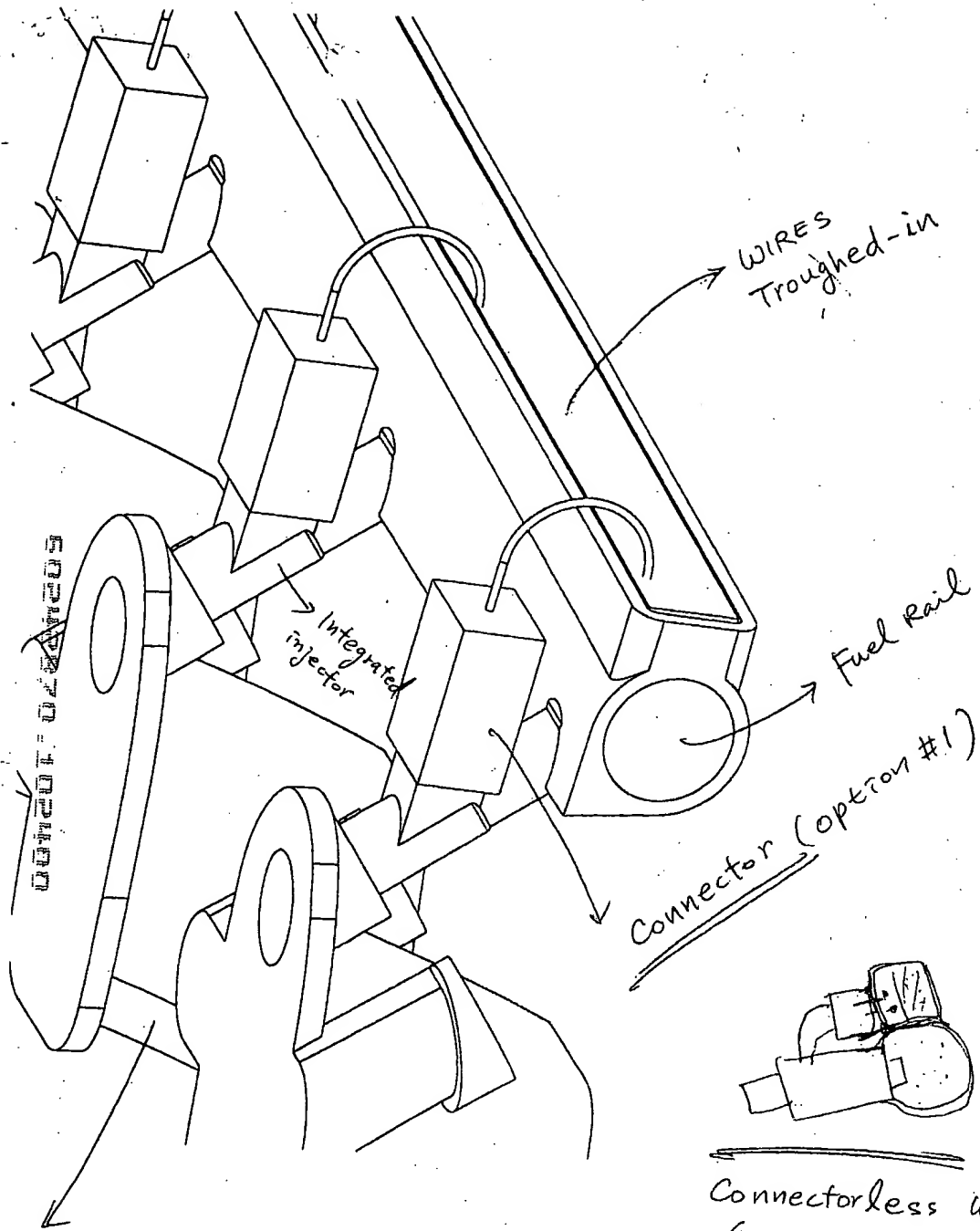
Laura M. Slenzak
+1 248 209 5698

Customer Number: 024500

I hereby declare and certify that I am an agent as set forth above and am empowered to make the above appointment,

By: 
Name: Laura M. Slenzak - Agent

Date: 10/24/00



Connectorless WIRES
(option #2)

Valve Body
(valves & linkage are
integrated)

